

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

Granted
Susan J. White
April 27, 2005

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GREGORY GALLATIN,

Defendant.

Case No. 1:00-CR-00111-1

(Judge Dlott)

**DEFENDANT'S MOTION
TO SET HEARING ON
RESENTENCING**

Now comes Defendant, Gregory Gallatin, by and through his undersigned counsel, and pursuant to the Orders of the United States Supreme Court and the Sixth Circuit Court of Appeals, hereby moves this Honorable Court to set his case for a re-sentencing at the earliest convenience to this Court.

On July 29, 2002, Gallatin was sentenced to a term of imprisonment of 110 months. Gallatin appealed his sentence and his case was eventually accepted into the United States Supreme Court pursuant to a petition for writ of certiorari.

On January 24, 2005, the United States Supreme Court vacated Gallatin's sentence and remanded the case to the United States Court of Appeals for the Sixth Circuit for further consideration. (See Docket Report Entry # 134)

On March 3, 2005, the Court of Appeals for the Sixth Circuit remanded Gallatin's case to the District Court for resentencing in light of *United States v. Booker*, 543 U.S. ___, 125 S.Ct. 738 (2005). (See Docket Report Entry # 133)

WHEREFORE, Defendant, Gregory Gallatin, moves this Honorable Court to schedule this matter on its docket for resentencing at its earliest convenience.